

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 23, 2002

PETITION OF

J. W. FINNIE

CASE NO. INS-2002-00111

For review of Allstate
Insurance Company's claims
handling practices

ORDER DOCKETING CASE, APPOINTING HEARING
EXAMINER, AND SETTING DATE FOR FILING ANSWER

On April 16, 2002, J. W. Finnie filed with the Clerk of the State Corporation Commission a petition requesting that the Bureau of Insurance investigate and take disciplinary action against Allstate Insurance Company for its alleged violations of the Virginia Unfair Trade Practices Act (§ 38.2-500 et seq.) of Title 38.2 of the Code of Virginia.

THEREFORE, IT IS ORDERED THAT:

(1) This matter be docketed and assigned Case No. INS-2002-00111;

(2) In accordance with 5 VAC 5-20-120, a Hearing Examiner shall conduct all further proceedings in this matter on behalf of the Commission, concluding with the filing of the Examiner's final report to the Commission. In the discharge of such duties, the Hearing Examiner shall exercise all the inquisitorial powers possessed by the Commission, including, but not limited to, the power to administer oaths, require the

Effective April 9, 2002, the new Case Management System requires that the case number format for all Commission orders change from, e.g., PUE010663 to the following: PUE-2001-00663.

appearance of witnesses and parties either in person or by any other means, require the production of documents, schedule and conduct prehearing conferences, admit or exclude evidence, grant or deny continuances, and rule on motions, matters of law, and procedural questions. Any party objecting to any ruling or action of said Examiner shall make known its objection with reasonable certainty at the time of the ruling, and may argue such objections to the Commission as part of its comments to the final report of said Examiner; provided, however, if any ruling by the Examiner denies further participation by any party in interest in a proceeding not thereby concluded, such party shall have the right to file a written motion with the Examiner for his immediate certification of such ruling to the Commission for its consideration. Pending resolution by the Commission of any ruling so certified, the Examiner shall retain procedural control of the proceeding;

(3) The Hearing Examiner shall cause the testimony taken at any hearing to be reduced to writing and promptly deliver his written findings and recommendations together with the transcript of the hearing to the Commission for its consideration and judgment; and

(4) On or before May 13, 2002, the Bureau of Insurance shall file or cause to be filed with the Clerk of the Commission, in accordance with the Commission's Rules of

Practice and Procedure, an Answer or other responsive pleading to the petition filed herein.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission by REGULAR and CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to J. W. Finnie, 1623 Lafayette Boulevard, Norfolk, Virginia 23509; and the Bureau of Insurance in care of Deputy Commissioner Mary M. Bannister.